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## NOTICE OF ALLOWANCE AND FEE(S) DUE

136 7590 08/20/2008

JACOBSON HOLMAN PLLC  
400 SEVENTH STREET N.W.  
SUITE 600  
WASHINGTON, DC 20004

EXAMINER

CHANKONG, DOHM

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 08/20/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,968	11/21/2003	Louis Corrigan	P66698US1	8014

TITLE OF INVENTION: OPEN MESSAGING GATEWAY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/20/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

136 7590 08/20/2008

JACOBSON HOLMAN PLLC  
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SUITE 600  
WASHINGTON, DC 20004

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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10/717,968	11/21/2003	Louis Corrigan	P6698US1	8014

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nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/20/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHANKONG, DOHM	2152	709-238000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys

or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

## 4a. The following fee(s) are submitted:

## 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

A check is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS; SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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136	7590	08/20/2008		EXAMINER
JACOBSON HOLMAN PLLC			CHANKONG, DOHM	
400 SEVENTH STREET N.W.			ART UNIT	PAPER NUMBER
SUITE 600			2152	
WASHINGTON, DC 20004				DATE MAILED: 08/20/2008

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1113 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1113 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b> 10/717,968	<b>Applicant(s)</b> CORRIGAN ET AL.
	<b>Examiner</b> DOHM CHANKONG	<b>Art Unit</b> 2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Applicant's amendment filed on 5/7/08.

2.  The allowed claim(s) is/are 15-30.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)

5.  Notice of Informal Patent Application

2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)

6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.

3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.

7.  Examiner's Amendment/Comment

4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

8.  Examiner's Statement of Reasons for Allowance

9.  Other \_\_\_\_\_.

/Dohm Chankong/  
Examiner, Art Unit 2152

### **ALLOWANCE**

1. This action is in response to Applicant's amendment filed on 5/7/08. Claims 1-14 are canceled. Claims 15-30 are added. Thus, claims 15-30 are presented for further examination.
  
2. Claims 15 and 30 are to be amended by the examiner's amendment below. Claims 15-30 are allowed.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jonathan Sherer, Reg. No. 29,851 on 08/08/2008.

4. Claims 15 and 30 have been amended as follows:

Claim 15:

A messaging gateway comprising:  
a network node layer including modular network nodes for interfacing with mobile devices of a plurality of different communication standards to receive content or service requests from the mobile devices and to route responses to the mobile devices;

a gateway node layer including modular gateway nodes for routing the requests and the responses and for modifying the requests and responses according to device technology and content attributes;

an application access node layer including modular application access nodes for accessing content servers and application servers;

an API framework for creating network, gateway, and access nodes; and  
wherein the network nodes:

manage context for a device making a request, and convert an input into a Web request using input data, device context, and application context;

add user and location context to requests;

translate responses into a device-specific format using response data, device context, and application context;

update and store context between device interactions; include a plurality of adapters, each said adapter associated with a type of mobile device and sheltering application servers and content servers from device capabilities; and

wherein the gateway nodes provide a series of configurable routing, validation, and filtering functions that provide content and routing management of messaging traffic that passes through the gateway node layer, and in which the service provided by the gateway node layer is determined by the path taken through said gateway nodes, and in which:

the gateway nodes control access to Web applications according to user subscriptions, in which responses are split up and routed according to adapter capabilities, content attributes, and user-specified rules,

a filter gateway node processes messages and forwards them in a structured manner, its functionality allowing it to modify or delete a message,

a router gateway node has functionality for routing messages to other nodes according to message contents, gateway parameters, gateway loading, service context, and address information, and

the gateway nodes include database gateway nodes for accessing a database.

Claim 30:

A computer program product stored on a gateway comprising:

software code for executing on one or more computers, in which the code is arranged to implement:

a network node layer including modular network nodes for interfacing with mobile devices of a plurality of different communication standards to receive content or service requests from the mobile devices and to route responses to the mobile devices;

a gateway node layer including modular gateway nodes for routing the requests and the responses and for modifying the requests and responses according to device technology and content attributes;

an application access node layer including modular application access nodes for accessing content servers and application servers;

an API framework for creating network, gateway, and access nodes; and

wherein the network nodes:

manage context for a device making a request, and convert an input into a Web request using input data, device context, and application context;

add user and location context to requests;

translate responses into a device-specific format using response data, device context, and application context;

update and store context between device interactions; include a plurality of adapters, each said adapter associated with a type of mobile device and sheltering application servers and content servers from device capabilities; and wherein the gateway nodes provide a series of configurable routing, validation, and filtering functions that provide content and routing management of messaging traffic that passes through the gateway node layer, and in which the service provided by the gateway node layer is determined by the a path taken through said gateway nodes, and in which:

the gateway nodes control access to Web applications according to user subscriptions, in which responses are split up and routed according to adapter capabilities, content attributes, and user-specified rules,

a filter gateway node processes messages and forwards them in a structured manner, its functionality allowing it to modify or delete a message,

a router gateway node has functionality for routing messages to other nodes according to message contents, gateway parameters, gateway loading, service context, and address information, and

the gateway nodes include database gateway nodes for accessing a database.

***Allowable Subject Matter***

5. The following is an examiner's statement of reasons for allowance:

The independent claims distinguish themselves over the prior art by delineating a gateway and program product comprising three layers for interfacing with mobile devices, routing and modifying requests based on the devices and attributes, and providing access to servers. Each of these layers contain various nodes that are responsible for different functionality as a request is routed through the gateway. The network layer contain nodes for managing the context of a request, converting inputs based on input data, device context, and application context, and adding user and location context to requests. The gateway layer contain nodes for configurable routing, validating, and filtering messages as they pass through the layer. The gateway layer comprises additional nodes that control access to applications, route responses according to adapter capabilities, content attributes, and rules, processing and forming messages, and routing messages to other nodes according to the message contents, gateway parameters, gateway loading, and service context. By the combination of these elements and functionality the independent claims now clearly and distinctly describe the important features of the open messaging gateway and thus independent claims 15 and 30 show a patentable distinction over the prior art. Furthermore, the prior art gives no indication that it would have been obvious to one of ordinary skill in the art to have constructed a gateway in the specific fashion presented in these claims.

Claims 16-29 are allowed due to their dependence on the independent claims discussed above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Amin et al, U.S. Patent No. 6.910.074;

Krishnaswamy et al, U.S. Patent No. 6.976.080;

Chesnais et al, U.S. Patent No. 7.272.662.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/  
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/  
Supervisory Patent Examiner, Art Unit 2152